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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,495	11/27/2001	Doug Rollins	M4065.0486/P486	8165

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EXAMINER
GELAGAY, SHEWAYE

ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/993,495	ROLLINS, DOUG	
	Examiner	Art Unit	
	Shewaye Gelagay	2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 November 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/30/02, 1/7/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-26 have been examined.

Drawings

2. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5 is written in dependent form and depends on itself, for

examining purpose it is assumed claim 5 depends on claim 4. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-3, 6-10, 13-17, 20-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roche et al. (hereinafter Roche) EP-1050991 in view of Branigan et al. (hereinafter Branigan) United States Publication Number 2002/0090089.

As per claim 1:

Roche teaches a method of updating an encryption key in a wireless network, said method comprising:

a communication device containing an encryption key from a wireless station of said network; (Col. 5, lines 43-58 and Col. 6, line 6)

connecting said removed communications device to a wired portion of said network which contains an encryption key generator; (Col. 6, lines 20-52; Col. 10, lines 43-45)

replacing an existing encryption key in said communications device with a new encryption key from said generator using a communication over said wired portion of said network; (Col. 6, lines 46-52) and

Roche does not explicitly disclose separating and connecting a communication device a wired and wireless network.

Branigan in analogous art, however, discloses separating and connecting a communication device a wired and wireless network. (Page 1, paragraph 8; Page 2, paragraph 17 ; Page 4, paragraphs 22 and 24)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche to include separating and connecting a communication device a wired and wireless network. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Branigan (Page 1, paragraph 7) in order to have a reliable security techniques to prevent eavesdropping and other compromises of system integrity.

As per claims 2 and 22:

Roche and Branigan teach all the subject matter as discussed above. In addition, Roche further discloses a method wherein said new encryption key is generated at user-defined intervals. (Col. 6, lines 46-47 and lines 53-55)

As per claims 3 and 23:

Roche and Branigan teach all the subject matter as discussed above. In addition, Roche further discloses a method wherein said new encryption key is generated on user-specified days. (Col. 6, lines 46-47 and lines 53-55)

As per claim 6:

Roche and Branigan teach all the subject matter as discussed above. In addition, Roche further discloses a method wherein said network communication device is configured on a plug-in card and is connected to said network by inserting said network communications device into a card tray. (Col. 5, lines 53-54)

As per claim 7:

Roche and Branigan teach all the subject matter as discussed above. In addition, Roche further discloses a method wherein a plurality of network communications devices can be inserted into said card tray simultaneously. (Col. 9, lines 51-55)

As per claims 8 and 15:

Roche teaches a wireless network comprising:

a wired station connected to a wired network, (Figure 1) said wired station comprising:

an encryption key generator for generating an encryption key; (Col. 6, lines 20-52; Col. 10, lines 43-45) and

a wired network communications device for transmitting said encryption key over said wired network; (Col. 6, lines 20-52)

an encryption key transmitted over said wired network by said wired network communications device. (Col. 6, lines 46-52)

Roche does not explicitly disclose a wireless station wirelessly connected to said wired network, said wireless station comprising: a wireless network communications device containing an encryption key, said wireless network communications device being disconnectable from said wireless station and connectable to said wired network to receive and store as a new encryption key.

Branigan in analogous art, however, discloses a wireless station wirelessly connected to said wired network, said wireless station comprising: a wireless network communications device containing an encryption key, said wireless network communications device being disconnectable from said wireless station and connectable to said wired network to receive and store as a new encryption key. (Page 1, paragraph 8; Page 2, paragraph 17 ; Page 4, paragraphs 22 and 24)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche to include a wireless station wirelessly connected to said wired network, said wireless station comprising: a wireless network communications device containing an encryption key, said wireless network communications device being disconnectable from said wireless station and connectable to said wired network to receive and store as a new encryption key. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Branigan (Page 1, paragraph 7) in order to have a reliable security techniques to prevent eavesdropping and other compromises of system integrity.

As per claims 9 and 21:

The combination of Roche and Branigan teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network. In addition, Roche further discloses a new encryption key is a randomly generated encryption key. (Col. 10, lines 49-52)

As per claim 10:

The combination of Roche and Branigan teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network. In addition, Roche further discloses a new encryption key is generated by said generator and transmitted by said wired network communications device at user-defined intervals. (Col. 6, lines 46-47 and lines 53-55)

As per claim 13:

The combination of Roche and Branigan teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network. In addition, Branigan further discloses a plurality of access points. (Page 1, paragraph 8)

As per claims 14, 16 and 26:

The combination of Roche and Branigan teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network. In addition, Roche further discloses a card tray connected to said wired network, said wireless network communications device being connected to said wired network by insertion of said wireless network communications device into said card tray. (Col. 9, lines 51-55)

As per claim 17:

Roche discloses a device comprising: a storage area said network card which stores an updateable encryption key for use in conducting encrypted wireless network communications, (Col. 10, lines 47-49) said encryption key being updateable when said card is connected to a wired network card interface which supplies a new encryption key. (Col. 6, lines 20-52; Col. 10, lines 43-45)

Roche does not explicitly disclose a removable wireless communications network card adapted to be connected to and disconnected from a wireless station card interface.

Branigan in analogous art, however, discloses a removable wireless communications network card adapted to be connected to and disconnected from a wireless station card interface. (Page 1, paragraph 8; Page 2, paragraph 17 ; Page 4, paragraphs 22 and 24)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche to include a removable wireless communications network card adapted to be connected to and disconnected from a wireless station card interface. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Branigan (Page 1, paragraph 7) in order to have a reliable security techniques to prevent eavesdropping and other compromises of system integrity.

As per claim 20:

Roche teaches an encryption key programming system comprising:

an encryption key generator connected to a wired network; (Col. 6, lines 20-52; Col. 10, lines 43-45)

a programming device connected to said wired network for receiving over a wire connection an encryption key from said generator, said programming device being adapted to storing said received encryption key (Col. 10, lines 47-49)

Roche does not explicitly disclose receive a wireless network communication device.

Branigan in analogous art, however, discloses receive a wireless network communication device. (Page 1, paragraph 8; Page 2, paragraph 17 ; Page 4, paragraphs 22 and 24)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche to include receive a wireless network communication device. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Branigan (Page 1, paragraph 7) in order to have a reliable security techniques to prevent eavesdropping and other compromises of system integrity.

7. Claims 4-5, 11-12, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roche et al. (hereinafter Roche) EP-1050991 in view of Branigan et

al. (hereinafter Branigan) United States Publication Number 2002/0090089 and further in view of Trieger United States Letter Patent Number 6,226,750.

As per claims 4, 11 and 24:

Roche and Branigan teach all the subject matter as discussed above. Both references do not explicitly disclose a method wherein said key generator generates a first new encryption key; compares said new encryption key to the previous k encryption keys used in said network; and generates a second new encryption key if said first new encryption key matches any of said k previously used encryption keys.

Trieger in analogous art, however, discloses a method wherein said key generator generates a first new encryption key; (Col. 11, lines 30-32) compares said new encryption key to the previous k encryption keys used in said network; (Col. 11, lines 39-41) and generates a second new encryption key if said first new encryption key matches any of said k previously used encryption keys. (Col. 11, lines 38-43)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche and Branigan to include wherein said key generator generates a first new encryption key; compares said new encryption key to the previous k encryption keys used in said network; and generates a second new encryption key if said first new encryption key matches any of said k previously used encryption keys. This modification would have been obvious because a person having ordinary skill in the art would have been

motivated to do so, as suggested by, Trieger (Col. 11, lines 38-39) in order to ensure the previous key is not reused.

As per claims 5, 12 and 25:

Roche, Branigan and Trieger teach all the subject matter as discussed above. In addition, Trieger further discloses a method wherein k is a user-defined number of previously used encryption keys. (Col. 11, lines 38-43)

8. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roche et al. (hereinafter Roche) EP-1050991 in view of Branigan et al. (hereinafter Branigan) United States Publication Number 2002/0090089 and further in view of Serceki et al. (hereinafter Serceki) United States United States Publication Number 2003/0078072.

As per claim 18:

The combination of Roche and Branigan teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network. Both references do not explicitly disclose card interface for providing a new encryption key is a PCMCIA card interface.

Serceki in analogous art, however, discloses card interface for providing a new encryption key is a PCMCIA card interface. (Page 3, paragraphs 31-32)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Roche and

Branigan to include card interface for providing a new encryption key is a PCMCIA card interface. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Serceki (Page 3, Paragrpah 31) in order to use a special connector that adheres to a common computer interface specification.

As per claim 19:

The combination of Roche, Branigan and Serceki teach a method of changing encryption key using a plug-in card in a wireless network by connecting and separating with the wired network and PCMCIA card interface. In addition, Serceki further discloses said PCMCIA card interface is provided at a PCMCIA card tray. (Page 3, Paragrpah 31)

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay
Examiner
Art Unit 2133

04/29/05

GUY LAMARRE
PRIMARY EXAMINER